



ARIZONA STATE SENATE
Fifty-Second Legislature, Second Regular Session

FACT SHEET FOR H.B. 2107

substance abuse recovery homes

Purpose

Allows a city, town or county to adopt by ordinance health and safety standards and enforcement mechanisms for structured sober living homes and outlines what these standards and enforcement mechanisms may address. Allows a city, town or county, through its attorney, to bring certain actions against a structured sober living home found to be in violation of adopted registration requirements or health and safety standards.

Background

The Ad Hoc Committee on Drug Rehab Recovery Homes (Committee) was established to conduct a review of drug rehab recovery homes to examine how to best provide oversight through exploring the benefits and feasibility of licensing, regulating, registering or certifying drug rehab recovery homes. The Committee was also charged with documenting the number of drug rehab recovery homes and related treatment facilities and services operating in the state, the types of operational affiliations, the standards and requirements necessary to protect the health and safety of the residents of homes, and any community issues created by the operation of drug rehab recovery homes, including impacts on neighborhoods and surrounding areas.

The Committee, through four public meetings, studied the issue of drug rehab recovery homes/structured sober living homes. As a matter of statewide concern, the Committee determined that there have been a growing number of unregulated drug rehab recovery homes/structured sober living homes operating throughout Arizona. Based on this finding, the Committee recommended, **on November 18, 2015**, that legislation be drafted to allow cities, towns and counties to regulate health, safety and personnel standards for structured sober living homes and to adopt ordinances to require registration for structured sober living homes. The legislation will also include a definition for structured sober living homes (Committee Final Report).

There is no anticipated fiscal impact to the state General Fund associated with this legislation.

Provisions

1. Allows a city, town or county to adopt by ordinance health and safety standards and enforcement mechanisms for structured sober living homes.
2. Allows the standards and enforcement mechanisms, if adopted, to address at least the following:

- a) a mandatory registration for all structured sober living homes to ensure that the residents of the home are living in a safe environment. The registration requirements may include:
 - i. the name and address of the structured sober living home; and
 - ii. if the property is owned, the owner's name, address and contact telephone number, or if the property is leased, a copy of the lease that states that the property will be used as a structured sober living home.
 - b) fire safety requirements of the home;
 - c) square footage and location requirements of the residents' bedrooms;
 - d) supervision requirements in the home for the residents, including a requirement that each structured sober living home have a qualified house manager on site;
 - e) qualifications of the house manager that, at a minimum, require all of the following:
 - i. a high school or general equivalency diploma;
 - ii. a minimum age of 21;
 - iii. the ability to demonstrate an understanding of the disease model of addiction; and
 - iv. the successful completion of specified training.
 - f) the establishment and maintenance of discharge plans for residents, including those who do not comply with house rules; and
 - g) transportation of the residents of the structured sober living home.
3. Requires a house manager's training to include:
- a) first aid and cardiopulmonary resuscitation training and certification;
 - b) infectious disease control and prevention;
 - c) crisis prevention and intervention; and
 - d) assisted self-administration of medication certification.
4. Allows a city, town or county that adopts health and safety standards and enforcement mechanisms for structured sober living homes to exclude from regulation any structured sober living home that is subject to adequate oversight by another governmental entity or contractor.
5. States the operation or maintenance of a structured sober living home that is not registered or does not meet the adopted health and safety standards is in violations and is declared a nuisance detrimental to the public health and safety.
6. Allows a city, town or county, through its attorney, to bring any action for an injunction to restrain such a violation or to enjoin the future operation or maintenance of any structured sober living home until there is substantial compliance with the adopted ordinances, regulations and standards.
7. Defines *structured sober living home* as any premises, place or building that provides alcohol-free or drug-free housing, promotes independent living and life skill development and provides structured activities that are directed primarily toward recovery from substance use disorders in a supervised setting to a group of unrelated individuals who are recovering from drug or alcohol addiction, of whom at least 35 percent receive outpatient behavioral health services for substance abuse or addiction treatment while living in the home.

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8. Excludes from the definition of structured sober living home a private residence in which a related family member is required to receive outpatient behavioral health services for substance abuse or addiction treatment as a condition of continuing to reside in the family dwelling.
9. Becomes effective on the general effective date.

House Action

CMA	1/25/16	DPA	5-3-0
3 rd Read	3/1/16		49-9-2